

It was alleged to be misbranded in that the representations in the labeling that it would enable one to vibrate one's way to health and beauty; that it was efficacious for sore muscles, for complexion, headaches, rheumatism, and constipation; that it would be helpful in conditions where increased circulation and stimulation of the nerves would cause curative action; that its strong vibratory action penetrated very deeply into the parts under treatment; that it was efficacious for sore muscles, neuralgia, blackheads, obesity, insomnia, headaches, nervousness, double chin, wrinkles, sagging muscles, acute rheumatism; that lifeless skin and sagging facial muscles could be improved by massaging two or three minutes each day by working from the chin up and from the mouth toward the ears using a rotary motion; and that for double chin the sponge applicator should be used three minutes at a time working upward from the base of the neck towards the ears, never downward, were false and misleading in that the said statements represented that the device was efficacious for the purposes for which it was recommended; whereas it was not efficacious for such purposes.

On May 7, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

201. Misbranding of vibrators. U. S. v. 24 Electric Vibrators. Consent decree of condemnation. Product ordered released under bond for relabeling.
(F. D. C. No. 1503. Sample No. 68476-D.)

This device was an electric vibrator with three attachments consisting of a button, a rubber cup, and a rubber brush. Its labeling bore false and misleading representations regarding its efficacy in the conditions indicated below.

On February 19, 1940, the United States attorney for the Southern District of New York filed a libel against 24 electric vibrators at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about February 6, 1940, by the A. C. Gilbert Co. from New Haven, Conn.; and charging that it was misbranded. It was labeled in part "Gilbert Vibrator."

It was alleged to be misbranded in that the representations in the labeling that it would restore health, was efficacious for the relief of rheumatism resulting from blood congestion; that it would be efficacious for indigestion and constipation; would cleanse the pores of the skin; would help one attain blemish-free complexions; would be efficacious for headaches, insomnia, nervousness, neuralgia, obesity; that it would be efficacious in developing the bust; that it would overcome thin brittle hair caused by the failure of the natural oils to function properly; that it was beneficial for double chin and wrinkles, that it would build one up and keep one up; that if used regularly, it would renew the youthful suppleness of body, clear the waste matter and dead cells from the blood, stimulate the circulation and bring the bloom of youth to the cheeks; that it was efficacious in the treatment of many common diseases and ailments; that a longer treatment, pressing lightly with the vibrator was required in nervousness, sleeplessness, and obesity, which treatment would soothe while the shorter, harder treatment would stimulate; that it was ideal for reducing and would restore health, which representations were false and misleading since the article was not efficacious for the purposes recommended.

On March 29, 1940, the A. C. Gilbert Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the article was ordered released under bond on condition that the labels, circulars, and tags be destroyed, and that those which were in compliance with the law be substituted.

202. Misbranding of electric vibrators. U. S. v. 63 Vibrators. Decree of condemnation and order for release of product under bond for relabeling.
(F. D. C. No. 1477. Sample No. 61308-D.)

This device was an electric vibrator, with various attachments, intended to apply mechanical vibration to the body. Its labeling bore false and misleading representations regarding its efficacy in the conditions indicated below.

On February 9, 1940, the United States attorney for the Southern District of Texas filed a libel against 63 vibrators at Houston, Tex., alleging that the article had been shipped in interstate commerce on or about December 10 and December 22, 1939, by the Vidrio Products Corporation from Chicago, Ill.; and charging that it was misbranded. The article was labeled in part: "Mastercraft Two Speed Electric Vibrator."

The device was alleged to be misbranded in that the labeling bore representations that it was efficacious for indigestion, constipation, baldness, bruises